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**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

DOMINIC DEAN ADAMS,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

No. 13-72158

Notice of Related Case

Mr. Adams's request for authorization to file a second or successive motion under 28 U.S.C. § 2255 relies on the retroactivity of the Supreme Court's decision in *Miller v. Alabama*,¹ and retroactivity is a statutory requirement for granting authorization.² This Court previously stayed this case pending the outcome of the authorization requests in *Delbosque v. Sinclair*, No. 13-72186, and *Bourgeois v.*

¹ 132 S. Ct. 2455 (2012).

² See 28 U.S.C. § 2255(h)(2).

Sinclair, No. 13-72218.³ However, a review of the dockets in those cases indicates that those cases, in turn, are stayed pending the outcome of related proceedings in the Washington state courts.

Counsel's review of upcoming oral argument calendars reveals that the retroactivity question in this case may be decided by *Castillo v. LeGrand*, No. 13-72199. That case involves a Nevada state prisoner seeking authorization to file a second or successive 28 U.S.C. § 2254 petition raising (among other claims) a *Miller* claim. Because *Castillo* and this case involve the same legal issue—the retroactivity of *Miller*—Mr. Adams hereby notifies this Court, pursuant to 9th Cir. R. 28-2.6(c), that *Castillo* is related to this case.

Respectfully submitted:

April 3, 2014.

JON M. SANDS
Federal Public Defender

s/Keith J. Hilzendeger
KEITH J. HILZENDEGER
Assistant Federal Public Defender
Attorney for Petitioner Adams

³ Dkt. #6.

CERTIFICATE OF SERVICE

I certify that on April 3, 2014, I caused the foregoing document to be filed with the Clerk of Court for the United States Court of Appeals for the Ninth Circuit using the Appellate CM/ECF system. I further certify that all case participants are registered CM/ECF users and that service will be accomplished by the Appellate CM/ECF system.

s/Keith J. Hilzendeger
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